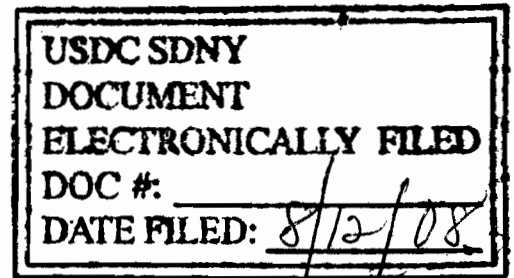


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



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:  
IN RE: METHYL TERTIARY BUTYL :  
ETHER ("MTBE") PRODUCTS :  
LIABILITY LITIGATION :  
----- :

CASE MANAGEMENT  
ORDER #38

This document relates to:

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88

*All Cases*  
----- X

SHIRA A. SCHEINDLIN, U.S.D.J.:

This Order memorializes the rulings made during the status  
conference held on August 12, 2008.

1. Parties shall serve all interrogatories in advance of settlement negotiations

by September 2, 2008. Responses to the interrogatories shall be served by  
November 7, 2008.

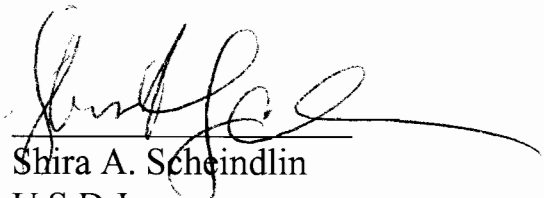
2. The parties will contact Special Settlement Master David Geronemus to  
schedule settlement negotiations for December 2008 in all appropriate  
cases. The parties in the *City of New York* case will contact the Special  
Settlement Master to schedule settlement negotiations in October 2008.

3. The parties in the *City of New York* case will meet and confer before the  
next status conference to agree upon a proposed trial date.

4. The parties in the *Orange County Water District* case will meet and confer by September 2, 2008, to agree upon a date for the close of discovery.
5. Counsel will meet and confer before the next status conference to select several cases as “focus cases” for the purposes of motion practice.
6. With respect to the *County of Suffolk* case, counsel for plaintiffs and for defendants Getty Properties and Gulf Oil Limited Partnership (“GOLP”) shall meet and confer before the next status conference to select new wells for a bellwether trial and to agree upon a trial date.
7. The next status conference is scheduled for October 2, 2008 at 10:00 a.m.

Dated: New York, New York  
August 12, 2008

SO ORDERED:

  
Shira A. Scheindlin  
U.S.D.J.

**-Appearances-**

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